

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ADLIFE MARKETNG & COMMUNICATIONS,
INC., *Plaintiff*,

v.

C.A. No. _____

JAMES CALVETTI MEATS, INC.,
Defendant.

COMPLAINT

I. JURISDICTION AND VENUE

1. Plaintiff Adlife Marketing and Communications, Inc., is a Rhode Island company with a principal place of business at 38 Church St., Pawtucket, Rhode Island.

2. Defendant James Calvetti Meats, Inc. (“Calvetti”), is a company located at James Calvetti Meats, Inc. 4240 South Morgan Street Chicago, Illinois.

3. This Court has subject matter jurisdiction over this suit under the provisions of 28 U.S.C. §§ 1338(a) because this is a civil action arising under an Act of Congress relating to copyrights.

4. This Court has personal jurisdiction over Calvetti because it committed the acts and omission of copyright infringement in Massachusetts and purposely availed itself of the forum district. Calvetti solicited orders from customers in eastern Massachusetts and, upon information and belief, sold products into eastern Massachusetts.

5. Venue lies properly within this Court under 28 U.S.C. § 1391(b)(2) because this is a district in which the Defendant is doing business with Plaintiff’s photograph via the Internet. Specifically, Calvetti solicited orders from customers in eastern Massachusetts and, upon

information and belief, sold products into eastern Massachusetts.

COUNT ONE
COPYRIGHT INFRINGEMENT

6. Adlife repeats and incorporates by reference all allegations above and below as if restated here in full.
7. Adlife owns the photo attached as Exhibit 1 hereto ("Photo").
8. The Photo has United States copyright registration number: VA0002012581 issued on August 5, 2016.
9. No later than July, 2016, Calvetti took the Photo from Adlife and posted it on Calvetti's website <http://www.calvetimeats.com>.
10. Calvetti posted the Photo on the following webpage within Calvetti's website:
<http://www.calvetimeats.com/Eight-8-oz-Filet-Mignon-Steaks-p/gbt88.htm>.
11. Calvetti took and used Adlife's Photo without Adlife's knowledge or permission.
12. Calvetti used the Photo to solicit business and orders in Massachusetts.
13. Upon information and belief, Calvetti's use of the Photo helped Calvetti secure orders from Massachusetts and Calvetti actually secured orders from Massachusetts after Calvetti took and started using the Photo.
14. Calvetti's unauthorized use of the Photo constitutes copyright infringement in violation of 17 U.S.C. sec. 501 et seq., entitling Adlife to damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Adlife Marketing and Communications, Inc., respectfully prays as follows:

- A. That Defendant be summoned to appear and answer this Complaint;

B. That this Honorable Court enter judgment in favor of Adlife and against Defendant;

C. That this Honorable Court award Adlife actual damages;

D. That this Honorable Court award Adlife consequential damages

E. That this Honorable Court award Adlife liquidated damages;

F. That this Honorable Court award Adlife its attorneys' fees, costs, pre-judgment interest; and

G. For such other and further relief as this Court deems necessary, just and proper.

ADLIFE MARKETNG & COMMUNICATIONS,
INC.,
By Its Attorney,

/s/ Chip Muller
Chip Muller, Esq. (BBO # 672100)
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August 18, 2016

Plaintiff Adlife Marketing & Communications, Inc., by and through its attorneys, demands a TRIAL BY JURY on all counts so triable.

/s/ Chip Muller
Chip Muller, Esq. (BBO # 672100)